## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:13-cv-244-RJC-DSC

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| ) | <u>ORDER</u>               |
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**THIS MATTER** comes before the Court on the Consent Motion of the Federal Defendants to Remand this action to the United States Citizenship and Immigration Services ("USCIS"). (Doc. No. 7).

For the reasons stated in the motion, for good cause shown, and because Plaintiff does not oppose the motion, see (Doc. No. 7 at 2), it is **ORDERED** that:

- 1. Plaintiff's naturalization application is **REMANDED** to USCIS for adjudication of, and issuance of a decision on, said application within 30 days after entry of this Order. For purposes of this Order, "adjudication of, and issuance of a decision on" is limited to the decision by USCIS on Plaintiff's naturalization application (N-400) and does not include any decision by USCIS regarding any subsequent administrative appeal by Plaintiff, pursuant to 8 C.F.R. § 336.2, in the event the application is adjudicated negatively.
- 2. This action is **DISMISSED without prejudice** and without costs or attorney fees, including those under the Equal Access to Justice Act or any other

provision of law.

3. Plaintiff's Motion for Entry of Default, (Doc. No. 6), is **DISMISSED** without prejudice as moot.

Signed: July 26, 2013

Robert J. Conrad, Jr.

United States District Judge